



Request for City Council Committee Action From the Department of Operations & Regulatory Services

Date March 20, 2003
To Public Safety & Regulatory Services Committee
Referral to Ways and Means Budget Committee

Subject Amend Title 5 of the Minneapolis Code of Ordinances relating to *Building Code* and Title 13 relating to *Licenses & Business Regulations*, as follows:

- a. Chapter 89, *Permits and Certificates of Occupancy*, regarding owner-occupant permits and correlated ordinances;**
- b. Chapter 91, *Permit Fees*; regarding fees;**
- c. Chapter 101, *Plumbing*, regarding plumbers examining board;**
- d. Chapter 105, *Heating, Air Conditioning and Refrigeration*, regarding duct cleaning permits;**
- e. Chapter 277, *Building Trade Licenses*, regarding surety bond limit**

Recommendation

The Department of Operations & Regulatory Services recommends that the City Council amend Minneapolis Code of Ordinances, Title 5, Chapter 89 to expand owner-occupant permits and correlated ordinances, delete MCO section 89.120 to be consistent with the building code, amend Chapter 101 to remove reference to the abolished plumbers examining board, amend Chapter 105 to eliminate the duct cleaning permit, amend Chapter 91 to allow a processing fee for refunds and set a standard minimum fee of \$50, clarify double fees for un-permitted work, repeal special fees for the nonexistent weatherization program, and repeal special plaster permits and amend Title 13 relating to Licenses & Business Regulations, Chapter 277 to adjust the surety bond amount to \$8,000 to be consistent with State law.

Previous Directives

The subject matter was referred by the City Council to the PS&RS committee and the public hearing was set for their March 26, 2002 meeting.

Prepared by: Connie Fournier, Deputy Director, Construction Inspection Services
Henry Reimer, Assistant City Attorney

Approved by: _____
Merwyn Larson, Director, Inspections

John Bergquist, Asst. City Coordinator & Director
Operations & Regulatory Services

John Moir, City Coordinator

Presenters in Committee: Connie Fournier, Deputy Director, Construction Inspection Services

Financial Impact (Check those that apply)

☒ No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)

- ☐ Action requires an appropriation increase to the Capital Budget
- ☐ Action requires an appropriation increase to the Operating Budget
- ☐ Action provides increased revenue for appropriation increase
- ☐ Action requires use of contingency or reserves
- ☐ Other financial impact (Explain):
- ☐ Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact (use any categories that apply)

Neighborhood Notification
City Goals
Comprehensive Plan
Zoning Code
Other

Background Information

Section 89.30 Owner-occupant permits

This proposed amendment is the first step to expand the ability of owner-occupants to secure their own permits to work on their single-family homes. Specifically the language will add the attached single-family home, or the commonly referred to townhouse. The past ordinance had not recognized this type of dwelling. Now town home residents will be able to pull permits themselves.

We have also included the concept of whether the owner occupant is currently occupying the single-family dwelling or intends to occupy. This language mirrors state rules and provides for an owner to build a new structure or to repair/remodel a dwelling if they have been temporarily misplaced for example due to fire or condemnation.

This new language also simplifies and clarifies that the property owner will secure the permit. As long as the owner is not purposely covering for an unlicensed contractor, they can have anyone assist them in the permitted work. Past ordinance language limited who could secure an owner-occupant permit to only certain family members.

In order to assure correlation with other ordinance sections that refer to owner occupant permits, amendments are also needed to sections 99.280 (b), 101.70 (c), and 105.70 (b).

We have been asked and are researching future amendments to expand owner-occupant permits to duplexes. Those changes will be returned to the committee.

Section 89.120

We are recommending the repeal of this section to be consistent with the State Building Code. The State Code has and continues to define what work is exempt from a building permit. The exemptions relate to the type of work without regard to the value. For example, typical finishing, decorating and painting are exempt. We feel the repeal of this section will avoid confusion or conflict with the State Code.

Section 101.60

Last year the Council removed all trades examining boards. This section was inadvertently missed. Therefore the deleted language is simply a housekeeping amendment to remove the reference to the abolished plumbers examining board.

Section 105.20

In July 2002, with the reform of the competency cards and licensing boards, it was agreed to eliminate the requirement for a duct-cleaning permit. This language was overlooked and should have been previously deleted.

Section 91.15

To cover the administrative costs of processing refunds, we are requesting to add a twenty-dollar, \$20, processing fee. We are also proposing to delete language referring refund disputes to the claims committee and the full Council. The city staff can act within the ordinance to resolve as described.

Sections 91.20 and 91.40

We are requesting to set the basic street use permit fee and the minimum fee at an even \$50. The fee has not been adjusted for some time, and in fact, had been previously reduced. With normal inflation up to this time and to make the amount adequate to cover our basic processing and inspection services, we feel \$50 is fair.

Section 91.50

This amendment is being recommended in an effort to address un-permitted work. It also simplifies the language. The amendment is straightforward in requiring a double fee if someone should begin work without the required permits.

Section 91.70

Another amendment offered today will eliminate the need for a specific plaster, lath permit under Article X. If eliminated as a permit, this ordinance section will also need to be amended to eliminate the reference to those permits. Plaster permits will now simply be included in a building permit.

Section 91.95

This section should be deleted due to the fact there is no longer a contract for weatherization with its own fee schedule.

Title 13, Section 277.2500

The State Statute sets the surety bond amount at \$8,000. Therefore, the City Attorney's office has advised that we adjust our amount in this section to be consistent with the State.

Section 113.10

In order to be consistent with the State Building Code, which the Committee just adopted, we are requesting this amendment to retaining walls from 3 feet to 4 feet to be in line with that code.